

Applicant(s): Arthur ASHMAN  
Serial No.: 09/448,692  
Confirmation No.: 5329  
Group Art Unit: 3738  
Filed: November 24, 1999  
Examiner: D. Isabella

**SECOND PRELIMINARY AMENDMENT AND REMARKS**

Docket No.: 01527/000E847-US0

PAGE 2

**AMENDMENTS TO THE CLAIMS**

2 1. (Previously Presented) The implant material of claim 20, wherein the particles have intraparticulate pores, said pores having dimensions effective to permit soft tissue to grow therein.

3 2. (Previously Presented) Implant material of claim 20 wherein said particles have a diameter of up to about 500 microns.

4 3. (Original) Implant material of claim 2 wherein said particles have a diameter of about 50 to about 200 microns.

4. (Canceled).

5 5. (Currently Amended) Implant material of claim 1 wherein said pores comprise between about zero and up to about 60 percent of said implant material.

C 6. (Original) Implant material of claim 5 wherein said pores comprise between about 40 and about 60 percent of said implant material.

7. (Original) Implant material of claim 1 wherein said pores have a size of less than about 100 microns.

8. (Original) Implant material of claim 7 wherein said pores have a size of between about 50 and about 100 microns.

9. (Previously Presented) Implant material of claim 20 further comprising collagen.

10. (Original) Implant material of claim 9 wherein said collagen comprises between about 30% and about 65% of said implant material by volume.

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PAGE 3

11. (Original) Implant material of claim 10 wherein said collagen comprises about 50% of said implant material by volume.

12. (Original) Implant material of claim 9 wherein said collagen comprises injectable collagen.

13. (Previously Presented) Implant material of claim 20 wherein said particles have an inner core comprised of a first biologically-compatible polymeric material and an outer layer generally surrounding said inner core, said outer layer comprised of a second biologically-compatible polymeric material, said second polymeric material being hydrophilic and having a composition different from the composition of said first polymeric material.

C  
14. (Original) Implant material of claim 13 wherein said first polymeric material is an acrylic polymer.

Cont  
15. (Original) Implant material of claim 14 wherein said first polymeric material is polymethylmethacrylate.

16. (Original) Implant material of claim 13 wherein said second polymeric material is a polymeric hydroxyethylmethacrylate.

17. (Original) Implant material of claim 16 wherein said polymeric hydroxyethylmethacrylate comprises a copolymer of monomeric hydroxyethylmethacrylate and a cross-linking agent.

18. (Previously Presented) Implant material of claim 20 further comprising at least one bioactive substance.

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Docket No.: 01527/000E847-US0

PAGE 4

19. (Original) Implant material of claim 18 wherein said at least one bioactive substance is grafted to said biologically-compatible particles.

1 20. (Previously Presented) A soft tissue implant material comprising biologically-compatible non-resorbable polymeric particles having a coating of calcium hydroxide thereon, wherein said particles have interstices therebetween having dimensions effective to permit soft tissue to grow therein.

21-49. (Canceled).

20 50. (Previously Presented) A particulate soft tissue implant comprising the material of claim 20.

C 21  
21 51. (Previously Presented) A particulate soft tissue implant comprising particles having an inner core comprised of polymethylmethacrylate and an outer layer generally surrounding said inner core comprised of polymeric hydroxyethylmethacrylate, said particles having interstices therebetween with dimensions effective to permit soft tissue to grow therein.  
Cont

22 21  
52. (Previously Presented) The implant of claim 51, wherein said particles have intraparticulate pores with dimensions effective to permit soft tissue to grow therein.

23 21  
53. (Currently Amended) Implant material of claim 51 wherein said pores comprise between about zero and up to about 60 percent of said implant material.

24 23  
54. (Previously Presented) Implant material of claim 53 wherein said pores comprise between about 40 and about 60 percent of said implant material.

25 21  
55. (Previously Presented) Implant material of claim 51 wherein said pores have a size of less than about 100 microns.

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Docket No.: 01527/000E847-US0

PAGE 5

*26* 25 56. (Previously Presented) Implant material of claim *55* wherein said pores have a size of between about 50 and about 100 microns.

*27* 21 57. (Previously Presented) Implant material of claim *51* wherein said particles have a diameter of up to about 500 microns.

*28* 27 58. (Previously Presented) Implant material of claim *51* wherein said particles have a diameter of about 50 to about 200 microns.

*29* 21 59. (Previously Presented) Implant material of claim *51* further comprising collagen.

*30* 29 60. (Previously Presented) Implant material of claim *59* wherein said collagen comprises between about 30% and about 65% of said implant material by volume.

*31* 30 61. (Previously Presented) Implant material of claim *60* wherein said collagen comprises about 50% of said implant material by volume.

*32* 29 62. (Previously Presented) Implant material of claim *59* wherein said collagen comprises injectable collagen.

*33* 21 63. (Previously Presented) Implant material of claim *51* further comprising at least one bioactive substance.

*34* 33 64. (Previously Presented) Implant material of claim *63* wherein said at least one bioactive substance is grafted to said biologically-compatible particles.

*35* 21 65. (Currently Amended) A particulate soft tissue implant comprising the material of claim [[15]] *51*.

66-88. (Canceled).

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Docket No.: 01527/000E847-US0

PAGE 6

*38* 89. (New) A soft tissue implant material comprising at least partially non-resorbable biologically-compatible polymeric particles having a coating of calcium hydroxide thereon, wherein said particles have interstices therebetween having dimensions effective to permit soft tissue to grow therein.

*37* 90. (New) A particulate soft tissue implant comprising the material of claim *89*.

*38* 91. (New) A soft tissue implant material comprising at least partially non-resorbable biologically-compatible polymeric particles having an amount of calcium hydroxide thereon effective to induce soft tissue growth, wherein said particles have interstices therebetween having dimensions effective to permit soft tissue to grow therein.

*C* ( *39* 92. (New) A particulate soft tissue implant comprising the material of claim *91*.

*Concl* *40* 93. (New) Implant material of claim *90*, wherein the biologically-compatible polymeric particles are non-resorbable.